

IN THE U.S. PATENT AND TRADEMARK OFFICE

In re application of

Kazumi TSUBAKI et al

Conf. 3635

Application No. 10/519,379

Group 1651

Filed December 27, 2004

Examiner A. Kosar

β -GLUCAN-CONTAINING FAT AND OIL COMPOSITION AND NOVEL
MICROORGANISM CAPABLE OF PRODUCING β -GLUCAN

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with Rules 1.97 and 1.98, and in fulfillment of the duty of disclosure under Rule 1.56, the cited documents are made of record on the enclosed PTO Form-1449.

As the USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent and patent publication for applications filed after June 30, 2003, copies of the cited U.S. references are not enclosed, as the present application is filed after June 30, 2003. Copies of the cited foreign patent documents and/or non-patent literature are enclosed.

A concise explanation of the relevance of these items is that these references were cited by the Japanese Patent Office in the Notice of Rejection in the corresponding Japanese Application. A copy of the Japanese Notice of Rejection in which they were cited is attached hereto with an English translation.

Under the provisions of 37 CFR 1.97(e), the undersigned hereby certifies that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this Statement.

Respectfully submitted,

YOUNG & THOMPSON

A handwritten signature in dark ink, appearing to read 'Robert J. Patch', written over a horizontal line.

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